

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

RODNEY HARPER,)	
)	
Plaintiff,)	
)	
v.)	No. 07-2412-STA-dkv
)	
DILLARD'S , INC.,)	
)	
Defendant.)	

ORDER ADOPTING THE REPORT AND RECOMMENDATION TO DISMISS

Before the Court is Defendant Dillard's, Inc.'s Motion to Dismiss (D.E. # 26) filed on August 15, 2008. On October 21, 2008, the Court referred the Motion to the Magistrate Judge for a Report and Recommendation pursuant to Fed. R. Civ. P. 72(a) (D.E. # 28). On October 27, 2008, Magistrate Judge Diane Vescovo recommended that Defendant's Motion to Dismiss be granted (D.E. # 30). Plaintiff has failed to file any objections to the Magistrate Judge's Report and Recommendation within the ten (10) days permitted by Rule 72(b)(2). Therefore, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation, and the Motion to Dismiss is **GRANTED**.

IT IS SO ORDERED.

/s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

Date: November 20, 2008